

# United States District Court

WESTERN DISTRICT OF NEW YORK

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## JUDGMENT IN A CIVIL CASE

CASE NUMBER: 04-CV-326 S

Board of Trustees of Local 41 International Brotherhood of  
Electrical Workers Health Fund, et al

v.

Modern Tech Design & Services, Inc.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Plaintiffs' Motion for Default Judgment is granted. Further, judgment is entered against defendant Modern Tech Design & Services, Inc. and in favor of the Board of Trustees, Local 41 International Brotherhood of Electrical Workers Health Fund in the amount of \$77,840.68 together with per diem interest of \$19.32 from 6/10/05 until date of entry of judgment with costs of \$66.98 as taxed.

Further, judgment is entered against defendant Modern Tech Design & Services, Inc. and in favor of Plaintiff, Board of Trustees, Local 41 International Brotherhood Of Electrical Workers Pension Fund in the amount of \$49,984.43 together with per diem interest of \$13.22 from 6/10/05 until date of entry of judgment with costs of \$43.01 as taxed.

Further, judgment is entered against defendant Modern Tech Design & Services, Inc. and in favor of Plaintiff Board of Trustees, Local 41 International Brotherhood Of Electrical Workers Annuity Fund in the amount of \$25,170.26 together with per diem interest of \$6.89 from 6/10/05 until date of entry of judgment with costs of \$21.65 as taxed.

Further, judgment is entered against defendant Modern Tech Design & Services, Inc. and in favor of Plaintiff, Board of Trustees, Local 41 International Brotherhood Of Electrical Workers Unit Pension Fund in the amount of \$10,288.00 together with per diem interest of \$2.58 from 6/10/05 until date of entry of judgment with costs of \$8.85 as taxed.

Further, judgment is entered against defendant Modern Tech Design & Services, Inc. and in favor of Plaintiff, Local 41 International Brotherhood of Electrical Workers in the amount of \$9,603.97 together with per diem interest of \$2.13 from 6/10/05 until date of entry of judgment with costs \$6.24 as taxed.

Further, judgment is entered against defendant Modern Tech Design & Services, Inc. and in favor of Plaintiff Board of Trustees of Electrical Industry Education Fund in the amount of \$7,240.93 together with per diem interest of \$1.89 from 6/10/05 until date of entry of judgment with costs of \$8.27 as taxed.

Date: July 21, 2005

RODNEY C. EARLY, CLERK

By: s/Deborah M. Zeeb  
Deputy Clerk

